

REMARKS

This response is intended to supplement Applicants' earlier filed response of September 12, 2005, which is incorporated herein by reference.

Claims 1-14 remain pending in this action. The Examiner has indicated that Applicants' previous amendment was not fully responsive. Specifically, the Examiner indicated that the previous amendment failed to explain how claims 10-14 are distinguishable over the prior art.

Claim 10 is directed to a universal joint assembly having a "diaphragm seal including a flexible sheet having a plurality of concentric annular, circular portions of progressively increasing radius."

Orain, U.S. Patent No. 3,817,057 (hereinafter "Orain") teaches a "neck 10 ... formed with folds 14 and 15 which allow it to deform as required during operation of the coupling." (Orain Col. 2, lines 42-44). Also, as shown in Figure 1, the folds 14 and 15 open away from the shaft 1. Applicants aver that Orain fails to disclose a "diaphragm seal including ... concentric annular, circular portions of progressively increasing radius ... having a generally U-shaped cross-section opening toward chamber and remaining circular portions having a generally U-shaped cross-section opening away from said chamber." Therefore, claim 10 is patentably distinguishable over the cited art.

O'Donnell, U.S. Patent No. 2,354,961 (hereinafter "O'Donnell") teaches "flexible elements 27 and 28 ... of the bellows type and are helical in formation." (O'Donnell Col 2, lines 46-47). Also, as shown in Figure 1, the folds of flexible elements 27 and 28 extend along the length of shaft 11 and do not constitute "concentric annular, circular portions of progressively increasing radius." Therefore, claim 10 is patentably distinguishable over the cited art.

Alden, U.S. Patent No. 2,362,456 (hereinafter "Alden") teaches "circumferential corrugation ... to meet the condition of stretch required." (Alden, Col. 4, lines 25-27). Applicants aver that Alden fails to disclose "concentric annular, circular portions of progressively increasing radius." Alden further teaches "a boot especially constructed to freely undergo a twisting action." (Alden, Col. 1, lines 25-27). Applicants further aver that the corrugated portions of Alden are not "flexible ... to prevent any substantial increase or decrease in the pressure within the chamber." Therefore, claim 10 is patentably distinguishable over the cited art.

Krude et al., U.S. Patent No. 4,262,498 (hereinafter "Krude") teaches "two sealing boot parts 14, 15" (Col. 3, line 41) that appear to follow a similar bellows pattern of O'Donnell. The boot parts 14, 15 of Figure 1, therefore, do not constitute "concentric annular, circular portions of progressively increasing radius." Therefore, claim 10 is patentably distinguishable over the cited art.

Reilly, U.S. Patent No. 3,149,883 (hereinafter "Reilly") teaches "a hub closure 20 ... [having] a series of convolutions 28 formed therein forming alternate valleys and ridges in cross section." (Reilly, Col. 1, lines 47-60). Applicants aver that Reilly fails to teach "concentric annular, circular portions of progressively increasing radius." Therefore, claim 10 is patentably distinguishable over the cited art.

Brabant, U.S. Patent No. 781,180 (hereinafter "Brabant") teaches a wheel hub including "a bellows [D]." (Brabant, Col. 1, line 46; Fig. 1). Applicants aver that Brabant fails to teach "concentric annular, circular portions of progressively increasing radius." Therefore, claim 10 is patentably distinguishable over the cited art.

Independent claim 10 is therefore believed to be in condition for allowance.

Furthermore, dependent claims 11-14, which depend from allowable claim 10, are also believed to be in condition for allowance.

Conclusion

It is believed that all of the stated grounds of rejection have been properly traversed. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this response is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 944-6525.

Respectfully submitted,

Dated: 22 NOV 2005

By: 

Thomas A. Jurecko, Reg. No. 48392
(248) 944-6525

Attorney/Agent for Applicants

CIMS 483-02-19
DaimlerChrysler Intellectual Capital Company, LLC
DaimlerChrysler Technology Center
800 Chrysler Drive
Auburn Hills, MI 48326-2757